



## TEXAS DEPARTMENT OF STATE HEALTH SERVICES

DAVID L. LAKEY, M.D.  
COMMISSIONER

P.O. Box 149347  
Austin, Texas 78714-9347  
1-888-963-7111  
TTY: 1-800-735-2989  
[www.dshs.state.tx.us](http://www.dshs.state.tx.us)

July 25, 2014

RE: Stakeholder Recommendations for Asbestos Rule Review

Dear Interested Stakeholder,

The Texas Department of State Health Services (Department) is currently reviewing the Texas Asbestos Health Protection Rules (TAHPR) for possible changes and requests feedback from current licensees and other interested stakeholders. The Department's Environmental Hazards Group (EHG) Asbestos Program plans to draft proposed rule changes this summer, and the draft will be made available on the Department's website for informal public comment by late Fall 2014. During this 30-day informal recommendation period, the Department will take stakeholder recommendations on the current rules into consideration but will not be providing responses. The proposed rule will then be submitted to the State Health Services Council in late Spring 2015. If approved for publication, the proposed rules will be published in the *Texas Register* for a formal 30-day public comment period in Summer 2015.

Specific citations for the TAHPR, the Texas Asbestos Health Protection Act (TAHPA), and the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) are listed below. Links to the text of each regulation also appear on the Asbestos Program website at [www.dshs.state.tx.us/asbestos](http://www.dshs.state.tx.us/asbestos).

- **Texas Asbestos Health Protection Rules (TAHPR)**, Texas Administrative Code – Title 25, Part 1, Chapter 295, Sections 295.31-295.73
- Texas Asbestos Health Protection Act (TAHPA), Occupations Code – Title 12, Subtitle B, Chapter 1954
- National Emission Standards for Hazardous Air Pollutants (NESHAP), Code of Federal Regulations – Title 40, Part 61, Subpart M

Throughout this process, it is important to keep in mind that the Department must provide adequate enforcement and must be at least as protective of human health and safety as the minimum requirements of the state TAHPA and the federal NESHAP. Please note that the Department is unable to make changes to the rules that would conflict with or fail to implement the requirements in applicable federal or state statutes. At this time the Department does not anticipate modifying the following provisions of the TAHPR: notification fees, licensing fees, period of licensure, or asbestos reporting units.

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Please submit your recommendations for rule text changes, the reasons for your recommended changes, and how those changes will affect public health and the regulated community to the Department by **August 31, 2014**.

Stakeholder rule recommendations may be submitted by email to **[EHGRulesCoordinator@dshs.state.tx.us](mailto:EHGRulesCoordinator@dshs.state.tx.us)**. Please indicate “Recommendations for TAHPR” in the subject line.

Stakeholders may also mail their recommendations to:

**Texas Department of State Health Services  
Attn: EHG Asbestos Program Rules Coordinator  
PO Box 149347, MC 1987  
Austin, TX 78714-9347**

In addition, the Department invites interested stakeholders to sign up on the Asbestos Program website to receive email announcements about rule development, notices of new information added to the website, and news on other important asbestos regulatory activities. Simply click on the website link for “Sign up for email updates” to register. The Asbestos Program website address is: **<http://www.dshs.state.tx.us/asbestos/>**.

Thank you for your interest in the Texas Asbestos Health Protection Rules.

Asbestos Program  
Division for Regulatory Services  
Texas Department of State Health Services